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Minutes

Board of Boiler Rules

National Guard Armory, 14 Minuteman Lane, Wellesley, MA 02481

Meeting of November 1, 2012, 9:30 AM

1. Meeting called to order by the Chairman at 10:00 AM, followed by roll call.

Board Members Present:

Patrick Kane, Chairman
Ray Archambault
Thomas Healy
Charles Perry
Ernest Hall

Board Members Not Present:

None

Guests Present:

Brian Logan, DPS	Mark Mooney, Liberty Mutual
Tom O'Rourke, DPS	Leah Francis, Liberty Mutual
Francis Bucchiere, DPS	Benjamin Calderon, Liberty Mutual
John Lawrence, DPS	Daniel Landry, Liberty Mutual
John Rogers, DPS	Glenn Robinson, HSB
Dave Gosselin, DPS	Gary Wildey, HSB
Ted Carroll, DPS	Bob Trombley, HSB
Henry Geryk, DPS	Jim Igoe, New Bedford VTHS
Bob Schultz, DPS	Paul Logan, SEI
Michael Roby, FM Global	Joseph Markowski, Chelsea S.H.
Anthony Lucia, Agri-Mark	Joseph Lynch, Entergy
Don Stats, Travelers	Gary Ford, Precix
Steve Sawyer, Travelers	Martin B. Mantenfel, Entergy
Frank Zarrella, Travelers	Carrie Torrisi, DPS
Paul Logan, SEI	Cesar Lastra, DPS
Bill Reny, CAN	Holly Bartlett, DPS
Mike Robillard, Chubb	

2. Minutes of previous meeting: The minutes from the previous meeting on September 6, 2012, were distributed. A motion to accept these minutes into record was made by Ernest Hal., seconded by Ray Archambault, and approved by a unanimous vote.

3. Petitions for inspectional considerations:

- a. GDF Suez Energy/International Power Inc., - Extension Request dated September 25, 2012, for a 30 day extension of the inspection requirement for two units, MA #68630 and MA #68631. *Motion to approve this request made by Ray Archambault, seconded by Charles Perry; motion passed by unanimous vote.*
- b. Chelsea Soldiers Home – Extension Request dated October 1, 2012, for a 60 day extension of the inspection requirement for one unit, MA #71806. State District Engineering Inspector Francis Bucchiere recommended that this request be passed. *Motion to approve this request made by Ernest Hall, seconded by Tom Healy; motion passed by unanimous vote.*
- c. CHI Hunt Center – Extension Request dated October 5, 2012, for a 6 month extension of the inspection requirement for one unit, MA #S071375. It was noted that this request is does not include input from the insurance inspector. *Motion to deny this request made by Ray Archambault, seconded by Ernest Hall; motion passed by unanimous vote.*
- d. Durfee Union Mills – Extension Request dated October 5, 2012, for a 6 month extension of the inspection requirement for two units, MA #73846 and MA #73845. It was noted that this request was submitted after last inspection certificate had expired on September 13, 2012 *Motion to deny this request made by Ray Archambault, seconded by Ernest Hall; motion passed by unanimous vote*
- e. EP Energy Massachusetts, Extension Request dated October 12, 2012, for a 2 month extension of the inspection requirement for one unit, MA #73139. *Motion to approve this request made by Ray Archambault, seconded by Charles Perry; motion passed by unanimous vote.*
- f. Mystic Station Units 8 & 9 – Extension Request dated October 18, 2012, for a 38 day extension of the inspection requirement for two units, MA #119012A and MA #119013A. *Motion to approve this request made by Ray Archambault, seconded by Tom Healy; motion passed by unanimous vote.*
- g. MATEP – Extension Request dated September 25, 2012, for a 3-month extension of the inspection requirement for one unit, MA #063105A. *Motion to approve this request made by Charles Perry, seconded by Ray Archambault; motion passed by unanimous vote.*
- h. Calvary Baptist Church – Variance Request originally dated May 30, 2012 for a waiver of the ASME H-Stamp requirement for a coal-fired boiler unit located at Calvary Baptist Church, 413 Main Street, Easthampton, MA 01027. State District Engineering Inspector Henry Geryk confirmed that he has seen the unit, and that he has tried to contact the manufacturer, but has yet to hear back from them. *Motion to deny this request made by Charles Perry, seconded by Tom Healy; motion denied by unanimous vote.*
- i. Precix Inc., Extension Request, not dated, for a 6 month extension of the inspection requirement of the inspection requirement for one unit, MA # 02168. *Motion to approve this request made by Charles Perry, seconded by Ray Archambault; motion passed by unanimous vote.*
- j. Precix, Inc., Variance Request dated October 24, 2012, for reconsideration of the recent decision by the Department of Public Safety change the boiler room boundaries at Precis, Inc, in new Bedford. It is the opinion of the Board members that this matter is not within the jurisdictional scope of the Board of Boiler Rules; therefore, the Board cannot make a ruling in this matter.
- k. Entergy/Pilgrim Nuclear Power Plant – Variance Request originally dated May 28, 2009, to waive the requirements of MGL Chapter 146, Section 39, to perform an inspection of Compressed Air Tank X-283. The members of the Board agreed to approve this request with the understanding that all future inspections be done using both borescope and ultrasonic equipment with the designated insurance inspector present. *Motion to approve this request as agreed upon made by Ray Archambault, seconded by Tom Healy; motion passed by unanimous vote.*
- l. Greater New Bedford Vocation Technical High School – Variance Request dated April 30, 2012, for variance from the requirement of ASME Boiler and Pressure Vessel Code Section VIII for ASME stamping of the code of construction for refrigeration unit MAM-131554. (This matter was continued from the last meeting on September 6, 2012) *Motion to pass this request made by Ray Archambault, seconded by Ernest Hall; motion passed by unanimous vote.* (Steve Sawyer from Travelers Insurance requested that they (Travelers) be provided a copy of the Board's decision.)

4. Request for Interpretation – 522 CMR 7.00 (Air Tanks): This matter was continued from the previous meeting of the Board. It was agreed to discuss this matter at the next meeting in January, 2013.
5. Open Meeting Law Complaint: Caroline Torrissi, DPS Assistant General Counsel, presented to the Board copies of a complaint filed with the Office of the Attorney General from Paul Logan, Steam Engineering Institute. Ms. Torrissi also presented a draft response from the Board, concluding that the complaint does not constitute *Motion to approve the draft response as written for submission to Office of the Attorney General was made by Tom Healy, seconded by Ray Archambault; motion passed by unanimous vote.* John Rogers, DPS Chief of Engineering – Mechanical, asked that the Chairman read the draft response for the benefit of those present at this meeting. Ms. Torrissi then had the Chairman sign the original letter for submission to the Office of the Attorney General.
6. Review of Extension Request Form: The Board will review at the next meeting the updated draft form to be used for extension requests.
7. Adjournment – The Chairman proposed that the Board meet next on Thursday, January 3, 2013 at 9:30. Motion made by Ernest Hall, seconded by Ray Archambault, followed by a unanimous vote to adjourn this meeting at 11:07.